

COUNTY OF YORK

MEMORANDUM

DATE: January 18, 2002 (BOS Mtg. 2/5/02)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. YVA-11-02, Herbert and Maureen Moss

ISSUE

This application requests a change in use, pursuant to Section 24.1-327(b)(4) of the York County Zoning Ordinance, to allow short-term rental of an existing single-family detached dwelling to transient occupants. The property is located at 224 Nelson Street and is further identified as Assessor's Parcel No. 18A-(1)-M2.

DESCRIPTION

- Property Owner: Herbert and Maureen Moss
- Location: 224 Nelson Street
- Area: Approximately 0.13 acres
- Frontage: Approximately 77 feet on an unimproved public right-of-way extending between Nelson and Read Streets
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: Yorktown
- Zoning Classification: YVA – Yorktown Village Activity
- Existing Development: Single-family dwelling; currently unoccupied
- Surrounding Development:
 - North: National Park Service property
 - East: Single-family dwelling
 - South: Single-family dwelling
 - West: Single-family dwelling

Proposed Development: Vacation cottage (short-term rentals)

CONSIDERATIONS/CONCLUSIONS

1. The applicants are requesting authorization to use an existing one-story 652- square foot single-family dwelling located at 224 Nelson Street in Yorktown for short-term rental to guests. Section 24.1-327(b)(4) of the York County Zoning Ordinance, stipulates that proposed changes in use of land, buildings, or structures within the Yorktown Village Activity District that are not similar in type, size, scope and intensity as the previous use, are subject to review and approval in accordance with the same procedures as special use permits. In this case, since the cottage was most recently rented as a single-family residence on a long-term basis, the proposed use (short-term rental) has been deemed sufficiently different in scope to require review and approval by the Board of Supervisors.
2. The applicants purchased the cottage in August 2001 and intended to make necessary repairs to offer the property for long-term single-family rental. The applicants made significant repairs and improvements to the interior and exterior of the dwelling. In the process of doing so, the applicants realized that they would like to create an arrangement that would allow them the flexibility to maintain and enjoy the cottage as their time allowed. In addition to their personal use of the property, the applicants wish to rent their cottage on a weekend, weekly, or monthly basis to guests visiting the historic area. The applicants do not propose to rent the cottage on a daily basis. Weekend rentals would be the shortest time period available. The proposed short-term rental of the property allows the applicants an opportunity to enjoy and maintain the cottage at their convenience (the applicants, who live elsewhere in York County, intend to visit the cottage and stay overnight as their time permits), while providing alternative housing accommodations to tourists visiting the historic area.
3. The subject parcel is zoned YVA (Yorktown Village Activity) and the Comprehensive Plan designates Yorktown as an historical village without reference to specific land uses. The proposed use is similar to a bed and breakfast in the respect that it provides accommodations to tourists and transient guests. The Yorktown Master Plan encourages the conversion of existing homes to bed and breakfast establishments within the historic village. The cottage is fully furnished and includes one bedroom, one bathroom, a living area, full kitchen, and a breakfast room.
4. The property is accessed from Nelson Street via an unimproved public right-of-way. The applicants installed a crushed stone driveway to accommodate off-street parking for two vehicles. Because of the size and scope of the operation, traffic impacts are not anticipated to be significant or out of character with the surrounding residential area.
5. Although the applicants have indicated they do not plan to install a sign to identify the guest cottage, the proposed conditions recommended by staff and the Planning Commission include an allowance for a four (4) square-foot sign, which is consistent with the signage that would be allowed for a bed and breakfast.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on January 9, 2002 and, subsequent to holding a public hearing at which the applicant spoke in support of the application, voted 7:0 to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

The proposed use of the cottage for short-term rental to guests visiting the historic area is similar to the operation of a bed and breakfast establishment. The subject parcel is located in the Yorktown historic village and the proposed use is consistent with the Yorktown Master Plan, which recommends the conversion of existing homes to bed and breakfast establishments. Such accommodations enhance visitor opportunities and experiences in Yorktown. I am of the opinion that the short-term rental of the property provides a benefit to tourists seeking alternative accommodations and to the applicants who desire to maintain the property and use it for their personal enjoyment and recreation. The proposed use is a small-scale operation and is not likely to have any adverse impacts on the surrounding area or the residential character of the neighborhood. Therefore, I recommend that the Board approve this request, subject to the conditions contained in proposed Resolution No. R02-13.

Carter/3337

Attachments

- Planning Commission excerpts, January 9, 2002
- Zoning Map
- Narrative (November 27, 2001)
- Plat
- Proposed Resolution R02-13